

UNITED STATES GOVERNMENT

Memorandum

TO : Legislative Counsel,
Office of General Counsel

DATE: 17 June 1964

FROM : Chief, Alien Affairs Staff

SUBJECT: Suggested Changes to H. R. 11436

*File,
Subject*

1. The following comments and suggested changes to H. R. 11436, or other bills of similar nature, are transmitted for your use and information:

a. Section 1 through 12 and Sections 15 and 16 of H. R. 11436 would benefit CIA. The increase of immigration quotas and relaxing of quota restrictions would, in many instances, make the use of Section 7 action unnecessary.

b. Section 13. On line 23, page 18, after the wording. . . . "the United States," add, OR AN EMPLOYEE OF THE UNITED STATES GOVERNMENT, HIS SPOUSE AND CHILDREN. Such an amendment to the current immigration laws would not only benefit CIA, but would also benefit other Federal Agencies. The most important benefit to be derived would be the saving of money because the Agency would not be obligated to return permanent resident alien employees and their dependents to the United States after two years abroad to obtain new Reentry Permits and return to their foreign assignment for another two-year period.

c. Section 14. Revise Subsection (c) of Section 316 of the Immigration and Nationality Act to read: THE GRANTING OF THE BENEFITS OF SUBSECTION (b) OF

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re-word

THIS SECTION SHALL NOT RELIEVE THE PETITIONER FROM THE REQUIREMENTS OF PHYSICAL PRESENCE WITHIN THE UNITED STATES FOR THE PERIOD SPECIFIED IN SUBSECTION (a) OF THIS SECTION, EXCEPT IN THE CASE OF THOSE PERSONS EMPLOYED BY, OR UNDER CONTRACT WITH, THE GOVERNMENT OF THE UNITED STATES. IN THE CASE OF SUCH PERSONS EMPLOYED BY, OR UNDER CONTRACT WITH, THE UNITED STATES GOVERNMENT, THE REQUIREMENTS IN SUBSECTION (b) OF AN UNINTERRUPTED PERIOD OF AT LEAST ONE YEAR OF PHYSICAL PRESENCE IN THE UNITED STATES MAY BE COMPLIED WITH BY SUCH PERSON AT ANY TIME PRIOR TO THE FILING OF A PETITION FOR NATURALIZATION.

Although this would open the use of 316(c) to many more aliens who are employees of the U. S. Government, it would serve the security interests of the Agency, because our alien employees would not be pinpointed as such when they became naturalized, as they are now pinpointed in unclassified Immigration and Court records.

Why not add to 313(d)?

d. Add the following as a new section to Section 313 of the Immigration and Nationality Act of 1952: A PERSON WHO IS WITHIN ANY OF THE CLASSES DESCRIBED IN SUBSECTION (a) MAY BE NATURALIZED WITHOUT REGARD TO THE PROVISIONS OF SUBSECTION (c) IF THE ATTORNEY GENERAL, WITH THE CONCURRENCE OF THE DIRECTOR OF CENTRAL INTELLIGENCE, AND THE COMMISSIONER OF IMMIGRATION AND NATURALIZATION DETERMINES THAT SUCH NATURALIZATION IS IN THE INTEREST OF NATIONAL SECURITY OR ESSENTIAL TO THE FURTHERANCE OF THE NATIONAL INTELLIGENCE MISSION.

This addition would eliminate almost all the needs for private bill action for aliens of interest to the Agency and

the concomitant problems involved in such private bill processing.

2. The above comments and suggestions should be considered as only interim. As the Committee reports, and bills which will be considered for passage are brought out, this Staff will have further comments and suggestions to make. The Alien Affairs Officer will welcome a chance to discuss all the proposed amendments to the Immigration and Nationality Act of 1952 with the Legislative Counsel.



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